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10/593,917	09/22/2006	John Broadhurst	148-37	5885
24336 7590 03/24/2009 KEUSEY, TUTUNJIAN & BIETTO, P.C. 20 CROSSWAYS PARK NORTH SUITE 210 WOODBURY, NY 11797				
EXAMINER				
KO, JASON Y				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/593,917

**Applicant(s)**

BROADHURST, JOHN

**Examiner**

JASON Y. KO

**Art Unit**

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_
- Paper No(s)/Mail Date 20060922

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1 and 3 are objected to because of the following informalities:
2. Regarding Claim 1, Claim 1 is missing a period at the end in line 10.
3. Regarding Claim 3, "forming" in line 4 should be amended to "form" to be grammatically correct. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 3-5, 11, 13, 15, and 18-19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Regarding Claims 3 and 13, the limitations "downwardly depending" are unclear. It is unclear how a skirt depends downwardly. For examination purposes, the limitation will be read to be "downwardly extending."
7. Regarding Claims 4 and 18, it is unclear how a wheel passes through the hood. For examination purposes, it is assumed that the wheel is passing underneath the hood.
8. Regarding Claims 11 and 15, it is unclear whether the "means to assist removal of water" is intended to invoke 35 U.S.C. 112 sixth paragraph. If Applicants intend that

these limitations invoke 35 U.S.C. 112 sixth paragraph, the claims should be amended to use "means for" language.

9. Regarding Claims 5 and 19, it is unclear how an arc forms from "substantially horizontal parallel to substantially vertical."

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**11. Claims 1-3 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by EGGER (DE 2951527U1).**

12. Regarding Claims 1 and 17, EGGER teaches a cleaning apparatus for cleaning the wheels of a trolley, comprising: a base (2, Fig. 2) having a static support surface (6, Fig. 2); a wall structure extending upwardly from each side of the support surface (where reference numeral 27 is pointing to in Fig. 2 and also the left counterpart); a roof extending outwardly from each wall towards the other wall (the area where reference numerals 18 and 20 are located, Fig. 2); a plurality of water jets (nozzles 21 and 22, Fig. 2, which is also a wheel cleaning element regarding Claim 17) located adjacent each roof and spaced from and directed towards the wall associated with that respective roof for cleaning portions of a wheel located beneath that roof.

13. Regarding Claim 2, EGGER teaches the apparatus to be open at both ends (See Fig. 3) and a trolley may pass through from one end to the other.
14. Regarding Claim 3, EGGER teaches downwardly extending skirts (30, Fig. 2).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

17. **Claims 4-5, 7-8, 13, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of HEINLEIN (USPA 2003/0061674).**

18. EGGER is relied upon as described above in the rejection of Claim 1.
19. Claims 4-5 are directed to a manifold having a plurality of jets for spraying water, which EGGER fails to teach explicitly.

20. It is well known in the art to use a manifold having a plurality of jets for spraying water. For example, HEINLEIN teaches a manifold (66, Fig. 4) having a plurality of jets (22, Fig. 4) for spraying water at a wheel passing through the hood. Furthermore, it is obvious that using a plurality of jets would result in a spray pattern covering both substantially parallel and substantially vertical directions. See Fig. 2 of EGGER, the multiple spray nozzles (17, 18, 19, 20, 21, 22) would cover such an area.

21. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER and modify it with a manifold having a plurality of jets as taught by HEINLEIN for efficient and predictable washing.

22. Claim 7 is directed to a support surface which is a mesh surface, which EGGER fails to teach explicitly.

23. It is well known in the art to use a mesh surface for a support surface in order to facilitate draining. For example, HEINLEIN teaches a cleaning apparatus having a mesh material support surface.

24. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER and modify it with a mesh surface as taught by RAGHAVAN for draining of wash liquid.

25. Claim 8 is directed to a means for detecting the presence of a trolley, which EGGER fails to teach explicitly.

26. It is well known in the art to use sensors or detecting means for cleaning apparatuses. For example, HEINLEIN teaches the use of sensors (68, paragraph

[0027]) which detect the presence of the golf cart for strategic control of the cleaning apparatus.

27. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER and modify it with a sensor for detecting the presence of the object to be cleaned as taught by HEINLEIN for strategic control of the cleaning apparatus.

28. Regarding Claim 13, EGGER teaches a cleaning apparatus for cleaning the wheels of a trolley, comprising: a base (2, Fig. 2) having a static support surface (6, Fig. 2); a wall structure extending upwardly from each side of the support surface (where reference numeral 27 is pointing to in Fig. 2 and also the left counterpart); a roof extending outwardly from each wall towards the other wall (the area where reference numerals 18 and 20 are located, Fig. 2); a downwardly extending skirt (30, Fig. 2); and at least one manifold (18 and 20, Fig. 2) disposed within each hood.

29. However, EGGER fails to explicitly teach at least one manifold to have a plurality of jets for spraying water.

30. It is well known in the art to use a manifold having a plurality of jets for spraying water. For example, HEINLEIN teaches a manifold (66, Fig. 4) having a plurality of jets (22, Fig. 4) for spraying water at a wheel passing through the hood.

31. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER and modify it with a manifold having a plurality of jets as taught by HEINLEIN for efficient and predictable washing.

32. Claim 18 is deemed unpatentable over EGGER in view of HEINLEIN under an analogous rejection to Claim 13.

33. Claim 19 is deemed unpatentable over EGGER in view of HEINLEIN under an analogous rejection to Claim 5, with the exception that Claim 19 depends on Claims 17-18, instead of Claim 1.

34. Claim 20 is deemed unpatentable over EGGER in view of HEINLEIN under an analogous rejection to Claim 8, with the exception that Claim 20 depends on Claims 17-19, instead of Claim 1.

**35. Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of HEINLEIN (USPA 2003/0061674), further in view of RAGHAVAN et al. (USPN 5,730,358).**

36. EGGER in view of HEINLEIN is relied upon as described above in the rejection of Claim 4.

37. Claim 6 is directed to manifolds supplied by a high pressure positive displacement pump, which EGGER in view of HEINLEIN fails to teach explicitly.

38. It is well known in the art to supply manifolds by a high pressure positive displacement pump for efficient cleaning. For example, RAGHAVAN teaches it is common to clean by using a stream of pressurized fluid, generated by a high-pressure positive displacement pump. See col. 1 lines 9-24.

39. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER in view of



HEINLEIN and modify it with a manifold supplied by a high pressure positive displacement pump as taught by RAGHAVAN for efficient and predictable washing.

**40. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of CLYNE et al. (USPN 4,233,703).**

41. EGGER is relied upon as described above in the rejection of Claim 1.

42. Claim 9 is directed to an auxiliary cleaning facility for cleaning golf clubs, which EGGER fails to teach explicitly.

43. Golf club cleaners are well known in the art, including cleaners that can clean both a golf cart and golf clubs. For example, CLYNE et al. teaches a cleaning device for use in cleaning the wheels of golf buggies, golf shoes, and golf clubs. See abstract. In particular, CLYNE et al. teaches an auxiliary cleaning compartment for cleaning golf clubs (housing 36, Fig. 2). See col. 3 lines 29-34.

44. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER and modify it with an auxiliary cleaning compartment for cleaning golf clubs as taught by CLYNE et al., to have a cleaning apparatus capable of cleaning multiple objects related to golf.

**45. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of CLYNE et al. (USPN 4,233,703), further in view of VOGEL (USPN 6,454,875).**

46. EGGER in view of CLYNE et al. is relied upon as described above in the rejection of Claim 9.

47. Claim 10 is further directed to a trough into which the heads of golf clubs may be placed and a plurality of jets for spraying water at the golf clubs.

48. CLYNE et al. teaches a trough (housing 36, Fig. 2) but fails to explicitly teach a plurality of jets for spraying water.

49. It is well known in the art to use multiple jets for cleaning by spraying water. For example, VOGEL teaches an apparatus for efficiently cleaning golf clubs having a plurality of spray nozzles. See abstract.

50. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER in view of CLYNE et al. and modify it with a plurality jets for spraying water at golf clubs as taught by VOGEL, for the efficient cleaning of golf clubs.

**51. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of CLYNE et al. (USPN 4,233,703), further in view of HEINLEIN (USPA 2003/0061674).**

52. Claims 11-12 are further directed to a means to assist removal of water from either the trolley or golf clubs, comprising air jets, which EGGER in view of CLYNE et al. fails to teach explicitly.

53. It is well known in the art to air dry wet treated objects. For example, HEINLEIN teaches the blow drying for blowing excess water from a golf cart. See paragraph [0037]. It would be obvious to use air jets for such drying operations.

54. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER in view of CLYNE

et al. and modify it with air jets for removing water as taught by HEINLEIN, for the efficient drying of golf clubs.

**55. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over EGGER (DE 29515272U1) in view of HEINLEIN (USPA 2003/0061674), further in view of CLYNE et al. (USPN 4,233,703).**

56. EGGER in view of HEINLEIN is relied upon as described above in the rejection of Claim 13.

57. Claims 14-16 are directed to an auxiliary cleaning facility for cleaning golf clubs and a means to assist in the removal of water, which EGGER in view of HEINLEIN fails to teach explicitly.

58. Golf club cleaners are well known in the art, as are cleaners that can clean both a golf cart and golf clubs. For example, CLYNE et al. teaches a cleaning device for use in cleaning the wheels of golf buggies, golf shoes, and golf clubs. See abstract. In particular, CLYNE et al. teaches an auxiliary cleaning compartment for cleaning golf clubs (36, Fig. 2). See col. 3 lines 29-34.

59. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cleaning apparatus as taught by EGGER in view of HEINLEIN and modify it with an auxiliary cleaning compartment for cleaning golf clubs as taught by CLYNE et al., to have a cleaning apparatus capable of cleaning multiple objects related to golf.

60. Claims 15-16 are deemed unpatentable in view of EGGER in view of HEINLEIN further in view of CLYNE et al., because HEINLEIN teaches the blow drying for blowing

excess water from a golf cart (see paragraph [0037]), and also it would be obvious to use air jets for such drying operations.

***Examiner's Notes***

61. The "means for" claim limitations mentioned in Claims 8 and 20 will be interpreted as means plus function claims due to the particular language used, and therefore invoke 35 U.S.C. 112 sixth paragraph for the aforementioned claims. See MPEP § 2181.

62. A translation for document DE 29515272U1 has been ordered from Translations Branch.

***Conclusion***

63. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON Y. KO whose telephone number is 571-270-7451. The examiner can normally be reached on Monday-Thursday; 9:30am-7:00pm.

64. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL BARR can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

65. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JYK/  
Jason Y. Ko  
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23 March 2009

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